

3:19-CR-00174-FAB
USA v. Prosperos-Sosa

Hearing set for 9:00 AM
Hearing started at 10:01 AM
Hearing ended at 4:36 PM

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

MINUTES OF PROCEEDINGS:

HONORABLE FRANCISCO A. BESOSA, SENIOR U.S. DISTRICT JUDGE

COURTROOM DEPUTY: Migdalia García-Cosme
Court Reporter: Robin Dispenzieri
Court Interpreters: Iris Ramírez, Karola Rangel, and María Ceballos
Contracted Interpreter: Carol Terry

Date: April 23, 2025
Case No. 19-cr-00174 (FAB)

Attorneys:

UNITED STATES OF AMERICA

AUSA Michele Colon

v.

KEVIN HASSAN PROPSERES-SOSA (1) AFPD Carmen Coral Rodriguez-Morales

CASE CALLED FOR A SENTENCING HEARING AND RESTITUTION ARGUMENT.

Present were AUSA Michele Colón, AFPD Carmen Coral Rodriguez-Morales, and USPO Charlette Agostini. Defendant Prósperes-Sosa was present, under conditions of release, and assisted by a certified court interpreter.

The parties discussed the case with the Court at sidebar. Then, AUSA Colón proceeded to call her first witness, HSI Agent Alek Pacheco to the witness stand and sworn testimony was heard. Direct and cross examinations were conducted, and the witness was excused. Right after, AUSA Colón called the victim, Ms. Marizel Méndez-Otero to the witness stand and sworn testimony was heard, assisted by interpreter Carol Terry. Direct and cross examinations were conducted, and the witness was excused. During cross examination, AFPD Rodríguez showed ID A, B, C, and D, but did not move the Court for admission.

After a lunch break, AFPD Rodríguez called Ms. Brenda Pagán-Rivera, HR Director of the municipality of Ciales, to the witness stand and sworn testimony was heard, assisted by the court interpreters. Only direct examination was conducted, and the witness was excused. Then, AFPD Rodriguez called Dr. María Teresa Margarida, professor at the UPR School of Medicine, to the witness stand and sworn testimony was heard. Direct, cross, and redirect examinations were conducted, and the witness was excused.

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Government's exhibits 1, 2a, 2b, 3, 4, 5a, 5b, 5c, and 5d were presented and admitted into evidence. Exhibits 2a, 2b, 3, and 4 were admitted subject to the submission of the certified translation within the next ten (10) days. Defendant's exhibits B, E, and F were presented and admitted into evidence.

Arguments from both parties and the defendant's allocution were heard. AFPD Rodríguez asked for a sentence of time served and on the other hand, AUSA Colón requested a sentence of thirty (30) months of imprisonment be imposed, which is the higher end of the guideline range. USPO Agostini's testimony regarding the defendant's supervised release violations was also heard.

After having heard the parties, the Court found that neither of the recommended sentences would reflect the seriousness of the offense, would promote respect for the law, would protect the public from additional crimes by Mr. Prósperes, and would address the issues of deterrence and punishment. Therefore, the Court imposed sentence as follows: Imprisonment for a term of twenty-four (24) months for all counts, to be served concurrently with each other. Upon release of confinement, a term of supervised release of three (3) years for all counts will follow, to be served concurrently with each other under the conditions enumerated in open court. A fine was not imposed. A special monetary assessment of \$100.00 per count was imposed, for a total of \$300.00. Restitution was ordered to be paid to the victims (Y.V.M. and M.M.) in the amount of \$130.00 for the installation of the security cameras. The claim for loss of income was denied. Restitution payments are to be made directly to the Clerk of this Court for transfer to the victim.

AUSA Colón requested the Court to order the defendant remanded immediately and AFPD Rodríguez requested the defendant be allowed to voluntary surrender. The Court ordered the defendant remanded to the custody of the United States Marshal at the conclusion of the hearing. All terms and conditions are specified in the judgment. The defendant was advised as to his right to appeal, etc.

S/ Migdalia García-Cosme
Courtroom Deputy Clerk